

ROUTING AND RECORD SHEET**SUBJECT:** (Optional)

Personnel Security Policy for SCI Access

FROM:

Director, ICS

EXTENSION**NO.**

ICS-83-0813

DATE**TO:** (Officer designation, room number, and building)**DATE****RECEIVED****FORWARDED****OFFICER'S INITIALS****COMMENTS** (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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ICS-83-0813

14 JUL 1983

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence

FROM:
Director, Intelligence Community Staff

STAT

SUBJECT: Personnel Security Policy for SCI Access

REFERENCE: D/ICS Memo (ICS-0801-83) to DCI, dated 5 April 1983,
same Subject

1. Action Requested: That you sign the attached proposed memorandum to NFIC members asking them to review a draft revision of DCI security policy on SCI access (DCID 1/14) and advise on the resolution of a Community difference on whether investigations for such access should cover 15 or 10 years.

2. Background: The Acting DCI approved the recommendation in reference that this difference be referred to the NFIC for discussion as a basis for resolution. The lack of other items to make up a sufficient agenda for an NFIC meeting caused the referral to be postponed. In the interim, the DCI Security Committee (SECOM) unanimously agreed to add language to the revision of DCID 1/14 to emphasize that unauthorized disclosure of classified information is cause for denying or revoking SCI access approval. The single remaining issue of investigative scope needs to be resolved.

3. Discussion: Background data and comment needed for understanding of the draft revision of this DCID and of the unresolved issue are contained in the proposed memorandum. That has attached to it the text of the majority version of the DCID revision, a summary of changes, and a copy of the OSD minority position.

4. Recommendation: Sign the attached proposed memorandum.

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Attachment:
Memorandum for NFIC Members

SUBJECT: Personnel Security Policy for SCI Access

Distribution:

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1 - DDCI w/att

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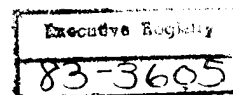
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DCI SECOM (7 July 83)

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NATIONAL FOREIGN INTELLIGENCE COUNCIL

WASHINGTON, D.C. 20505



MEMORANDUM FOR NATIONAL FOREIGN INTELLIGENCE COUNCIL

SUBJECT: Personnel Security Policy for SCI Access

1. The DCI Security Committee (SECOM) has completed a review of the SCI personnel security investigative and adjudicative requirements as promulgated in DCID 1/14. A difference of opinion remains whether the scope of investigative coverage should be reduced from 15 years to 10 years.

2. Since the mid-1960's, DCID 1/14, with full Community concurrence, has required investigations to cover the last 15 years of candidates' lives, or to their 18th birthdays, whichever is less, but in any event not less than the most recent two years. In 1980 the SECOM completed a study of 5,204 DCID 1/14 investigations adjudicated for SCI access by 10 Community agencies. The study evaluated the productivity of various investigative sources and periods of investigative coverage. It concluded that a 15-year period of coverage would capture all adverse data determined by adjudicators to warrant denial of SCI access but that a 10-year period would risk losing 9% of significant adverse data which was the basis for 3% of the access denials.

3. The study was the basis for a thorough review of DCID 1/14. In December 1981, recommendations for its revision were approved by a majority (10 to 3) of the SECOM members. The Deputy Under Secretary of Defense (Policy) asked that the proposed revision be held in abeyance until a newly appointed Defense Department senior-level panel could complete a review of the DoD personnel security program. That review recommended substantial upgrading of DoD personnel security practices to include raising investigative criteria for Top Secret clearances to the DCID 1/14 level and considering the use of the polygraph to screen persons for SCI access. Concurrently, the Defense Investigative Service received a substantial increase in resources to improve the quality of investigations and reduce its backlog.

4. With the new Defense findings, the SECOM resumed work on the DCID 1/14 revision. The OSD member proposed that the scope of all investigations for SCI be reduced to 10 years. The Personnel Security Subcommittee voted 8 to 5 in favor of retaining the 15-year scope. The Committee voted 7 to 6 in favor of retaining the 15-year scope, with all votes to reduce the scope coming from DoD agencies. Unanimous agreement was reached on several changes to DCID 1/14. These included introduction of an explicit reference to the polygraph in paragraph 11m as a supplement to personal interviews in departments or agencies with policies sanctioning its use for personnel security purposes; and a new paragraph 21 and an addition to the last paragraph of Annex A, both emphasizing that unauthorized disclosure of classified

information is a cause for denying or revoking SCI access approval. The revision also makes minor changes to investigative standards, adds language to strengthen the government's position in denying access for cause, and updates definitions and references.

5. The OSD dissent focuses on the allocation of resources and promises to trade off more stringent investigations for non-SCI clearance in return for the reduction in SCI scope. All non-Defense SECOM members, plus Special Air Force, prefer continuation of the 15-year investigative scope. Energy wants it because of concerns about the sensitivity of nuclear weapons data and FBI wants it because they feel it has proved its worth in the past. The CIA Office of General Counsel urges retention of the 15-year scope for SCI access as a means of maintaining a distinction between SCI access criteria and Top Secret clearance standards in litigation involving access denials. In addition, there are doubts that the DCI should engage in trade-offs involving resources of individual agencies.

6. I am enclosing as attachments copies of the majority approved version of the DCID 1/14 revision, a summary of changes from the previous edition, and the OSD minority position. Please review the draft and advise me on resolution of the Community difference on whether investigations for SCI access should cover 15 or 10 years.

WJ Casey

William J. Casey
Chairman

Attachments

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Next 35 Page(s) In Document Denied



POLICY

OFFICE OF THE UNDER SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

10 March 1983

MEMORANDUM FOR THE CHAIRMAN, DCI SECURITY COMMITTEE

SUBJECT: Minority Position on Draft Revision of DCID 1/14

On 23 February 1983, the DCI Security Committee approved the draft DCID 1/14 by a vote of 7 to 6 with all Department of Defense (DoD) members supporting the position of the Office of the Secretary of Defense (OSD) that a 10 year period of coverage be substituted for the requirement that an investigation for access to Sensitive Compartmented Information (SCI) continue to cover the most recent 15 years of a person's life. Within the DoD, experience and studies, which have been made available to you, have disclosed that little, if any, significant information impacting on a person's eligibility for SCI access is developed beyond ten years of investigative coverage.

Consequently, the DoD has approved a program which will begin on 1 April 1983, with implementation of a periodic reinvestigation which significantly exceeds the current DCID 1/14 in scope. Previously, a program of security supervision within each Defense Component was mandated and implementation has begun. Beginning on 1 January 1984, it is planned that the DoD will implement a single scope background investigation in accordance with DCID 1/14 standards for all persons with access to SCI and Top Secret information. This is a requirement that has been long advocated for the DoD by the Intelligence Community. Further, it should be noted that while reducing the scope of coverage from 15 to 10 years, the DoD will add a Subject interview to the coverage in every investigation. The Subject interview has been established as a technique of much greater value than merely five more years of background coverage. Another consideration is that resources saved by the Defense Investigative Service as a result of the reduction in scope, will be applied to the expanded coverage of the periodic reinvestigation and the Subject interview. The DIS conducts 50,000 such investigations each year so the savings will be significant. In addition, as you know, there is pending a revision to policy concerning the use of the polygraph in the DoD and if the pending revisions receive approval, the personnel security program will be supplemented by polygraph use to some extent.

While the OSD supports the implementation of the revised DCID 1/14, it is requested that our recommendation concerning the scope modification be forwarded for further consideration on the basis that the DoD has developed a much improved personnel security program which exceeds the minimum requirements of both the current and the revised DCID 1/14. In the absence of further favorable consideration of the OSD recommendation, it is requested that consideration be given to adding the following footnote to DCID 1/14:

"The appropriate authority in Departments and Agencies subject to this directive may substitute investigative procedures of equal or greater value to those prescribed in exceptional circumstances for a limited period of time."

Maynard C. Anderson
 Maynard C. Anderson
 Director

Security Plans and Programs

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Director
Intelligence Community Staff
Washington, D.C. 20505

ICS-0801-83
5 April 1983

MEMORANDUM FOR: Director of Central Intelligence
VIA: Deputy Director of Central Intelligence
FROM:
Director, Intelligence Community Staff
SUBJECT: Personnel Security Policy for SCI Access

STAT

1 Action Requested: That you provide guidance on resolving a difference of opinion in the Community on the number of years that should be covered by investigations required by DCI personnel security policy governing access to SCI.

2. Background: The only uniform personnel security standards applicable throughout the Government are those promulgated in DCID 1/14, which specifies investigative and adjudicative requirements governing access to SCI. Since its original issuance in the mid-1960's, DCID 1/14, with full Community concurrence, has required investigations to cover the last 15 years of candidates' lives, or to their 18th birthday, whichever is less, but in any event not less than the most recent two years.

3. In 1980, the Security Committee (SECOM) completed a study of 5,204 DCID 1/14 investigations adjudicated for SCI access by 10 Community agencies. The study evaluated the productivity of various investigative sources and periods of investigative coverage. It concluded that a 15-year period of coverage would capture all adverse data determined by adjudicators to warrant denial of SCI access, but that a 10-year period would risk losing 9% of significant adverse data which was the basis for 3% of the access denials. Police checks in the 10- to 15-year period were shown to be useful sources.

4. This study was the basis for a thorough review of DCID 1/14. Recommendations for its revision were approved by a majority (10 to 3) of SECOM members in December 1981, and forwarded to the Director, IC Staff, for guidance. The dissenting position was prepared by the OSD member of SECOM. He argued for ranking SCI into first class (and doing a full 15-year investigation) and second class (doing a reduced scope investigation). General Stilwell asked that the proposed revision be pended until Defense's senior-level panel concluded its review of DoD personnel security. The review recommended substantial upgrading of DoD personnel security practices -- e.g.,

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raising investigative criteria for Top Secret clearances to DCID 1/14 levels and considering use of the polygraph to screen persons for SCI access. Concurrently, the Defense Investigative Service received a substantial increase in resources to improve the quality of investigations and reduce its backlog.

5. With the new Defense findings, SECOM resumed work on DCID 1/14 revision. The OSD member tabled a recommendation that the scope of all investigations for SCI access be limited to 10 years (he provided the attached copy of his memo on that to General Stilwell. (Tab A)). That did not gain majority support. The revision effort then focused on use of the polygraph. The OSD member agreed to one mention of the polygraph in paragraph 11.m of the attached draft (Tab B) completed at the 23 February 1983 meeting of SECOM. The revision makes minor changes to investigative standards, includes the single reference to the polygraph, adds language to strengthen the Government's position in denying accesses for cause, and updates definitions and references. A summary of the changes is at Tab C. All changes except the issue of 10 versus 15-year scope were agreed to unanimously. The committee voted 7 to 6 in favor of retaining the 15-year scope. All votes to reduce the scope were from DoD agencies. The OSD dissent on the scope issue is attached (Tab D).

6. Staff Position: The OSD dissent focuses on allocation of resources. OSD proposes to raise investigative standards for Top Secret, non-SCI clearances to DCID 1/14 levels, add a subject interview to every investigation, and implement a periodic reinvestigation program for persons with SCI access. The first item, while commendable from the standpoint of overall security, is unrelated to SCI access. Routine subject interviews for all candidates for SCI access exceed the unanimously supported criteria in the draft revision of DCID 1/14. Periodic reinvestigations for persons with SCI access is required by the present (1976) version of DCID 1/14. Defense stopped doing them in 1981 when the Defense Investigative Service got seriously behind in its caseload. Implementation of a periodic reinvestigation program is merely resumption of what they agreed was needed in 1976 and still agree is needed now.

7. At the 23 February SECOM meeting, the OSD member stated that Defense needed the "savings" from reduction of investigative scope to free resources to raise Top Secret clearance standards. Possible savings should be considered in the light of statements by OSD representatives that relatively few cases require investigation beyond 10 years because of the age distribution among candidates for SCI access. The attached OSD dissent says "savings" will be applied to periodic reinvestigations and administration of subject interviews. A risk involved in this approach is that the actuality of a present cut in security standards may not be "balanced off" if the promised increases do not materialize due to budget cuts or other reasons.

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8. All non-Defense SECOM members, plus Special Air Force, support continuation of 15-year scope investigations. Energy wants it because of concerns about the sensitivity of nuclear weapons data. FBI wants it because they feel it has proved its worth in the past. CIA Office of General Counsel wants it as a good means of maintaining a distinction between SCI access criteria and Top Secret clearance standards in litigation on access denials.

9. The availability of investigative resources is a valid concern for Defense. The Defense Investigative Service took a Congressionally mandated budget cut this fiscal year. The difficulty of rebuilding the Defense investigative program to a high level of quality in all areas is apparent. A basic issue seems to be whether Community personnel security SCI access standards should be reduced to satisfy Defense plans for allocation of its security resources. Another is whether DCI standards should be pegged to the current Defense view of Top Secret standards.

10. Options include:

a. Adopt the majority position in favor of maintaining 15-year scope. Defense could adapt to this by utilizing a period of coverage for Top Secret clearance investigations of something less than the period required by DCID 1/14.

b. Adopt the OSD minority position (reducing scope to 10 years). The 10-year minimum investigative period predictably would become a maximum for resource-strapped agencies.

c. Discuss the issue at the NFIC to determine Defense's degree of flexibility on this matter as a basis for subsequent decision.

11. Recommendation: That you schedule this issue for NFIC discussion and push there for maintaining the 15-year scope of investigation.



STAT

Attachments

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SUBJECT: Personnel Security Policy for SCI Access

CONCUR:

STAT

13 APR 1983

Date

APPROVED: *Take & NFIC*

STAT

13 APR 1983

Date

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